

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re LAS UVAS VALLEY DAIRIES,
a New Mexico General Partnership,

Debtor.

17-12356-j11

LIMITED OBJECTION TO MOTION FOR USE OF CASH COLLATERAL

Creditors, David and Guadalupe Ramos d/b/a Ramos Farms (hereinafter referred to collectively as “Ramos”), through undersigned counsel, files this limited Objection to Debtor’s Motion for Use of Cash Collateral on the following grounds:

1. Ramos is an alfalfa farmer in Lordsburg, New Mexico.
2. Ramos and the Debtor entered into a contract for the sale of alfalfa on April 27, 2017.

The alfalfa was sold to the Debtor in the ordinary course of the Debtor’s business.
3. As of the petition date, Ramos was owed a total of \$178,709.48. Approximately, \$75,000 of that amount was for loads of hay that were delivered within 20 days of the Debtor’s bankruptcy. Ramos is entitled to an administrative claim pursuant to 11 U.S.C. Section 502(b)(9) for the hay that Debtor received within the 20 days of the bankruptcy. Ramos expects that an administrative claim will be filed on October 10, 2017.
4. Ramos is in a Chapter 12 bankruptcy with a confirmed plan that relies primarily on the payments being received by Debtor. (Case No. 17-10022 j12)
5. While the Debtor’s budget provides for payment going forward for “hay & silage & farming,” there is specification for this Section 502(b)(9) administrative claim payment. Further, if Debtor is purchasing alfalfa from Ramos in the future, Ramos

will not deliver any future loads unless it is paid upon delivery from the appropriate line item.

6. Ramos requests that the budget be amended to provide for immediate payment of their administrative claim. The October budget shows a net income of \$202,000 so there is clearly room in the budget to adjust it accordingly.

WHEREFORE, Ramos respectfully requests that the budget be amended as set forth above and for any further relief deemed necessary.

Respectfully Submitted,
Electronically filed 10.9.17
R. "Trey" Arvizu, III
Attorney for Creditor Ramos
P.O. Box 1479
Las Cruces, NM 88004
(505)527-8600
(505)527-1199 fax
trey@arvizulaw.com

I CERTIFY that the foregoing was electronically filed with the Court via the CM/ECF system. All attorneys and parties identified with the Court for electronic service on the record in this case were served by electronic service in accordance with the CM/ECF system on this 9th day of October 2017.

Electronically submitted
R. "Trey" Arvizu, III